

**REMARKS****I. Status**

In the Office Action mailed November 2, 2005, the Examiner noted that claims 1-22 were pending and rejected claims 1-22. Claims 1-16, 19-20, 5 have been amended and new claims 23-27 have been added. Thus, in view of the foregoing, claims 1-27 remain pending for reconsideration, which is requested. No new matter has been added. The applicants respectfully traverses the rejection.

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**II. Specification**

The applicants copy of the specification sent to the Examiner has the title correctly spelled as follows "SYSTEM AND METHOD FOR FILE COMPRESSION". The applicants request the Examiner reconfirm that the applicants need to correct a typo in the title of the specification. If so, the 15 applicants will comply with the Examiner's Instructions.

**III. Rejection of claims under 35 U.S.C. § 101**

Claims 7, 8, 15, and 20, are rejected under 35 U.S.C. 101 because the disclosed invention is operative and therefore lacks utility. The 20 application respectfully traverses this rejection.

Concurrency is concerned with the sharing of common resources between computations which execute overlapped in time (including running in parallel). Concurrent behavior is described in the specification, for example:

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10 "When digital video residing on a PC or the like is edited and/or otherwise ready for authoring, a user may employ a high speed USB, firewire or other high speed connection to send uncompressed video to the video capture device that compresses the video stream into an MPEG stream. The compressed MPEG stream is delivered back to the PC over an external bus, while compressed video continues (*emphasis added by underlining*) to stream to the MPEG compressor."

### Paragraph 0018

Since "concurrency" is properly supported by the specification, the  
15 applicants respectfully requests withdrawal of this rejection.

**IV. Rejection of claims under 35 U.S.C. § 112**

Claims 5-8, 13, 15, 16, 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention.

**Claim 5 has been amended.**

Claim 6 is not indefinite because it refers to the term "compressed data" in claim 1, as amended, which is distinct from the term "uncompressed data" in claim 1, as amended.

Claim 8 is supported by the specification. Claim 8 is broad enough to cover more than one embodiment, but is not consequently "indefinite" because Claim 8 particularly points out and distinctly claims the invention. An applicant is entitled to claim as broad as the prior art and his disclosure will allow. In re Rasmussen, 211 USPQ 323, 326 (C.C.P.A. 1981) By Statute, 35 U.S.C. 112, Congress has placed no limitations on how an applicant claims his invention, so long as the specification concludes with claims which particularly point out and distinctly claim that invention. In re Pilkington, 162 USPQ 145, 148 (C.C.P.A. 1969).

35 Claims 15 and 20 are definite for the same reason as claim 8.

Claims 13, 15, 16, 18, 20 have been amended to comply with the Examiner's objections.

In view of the above comments and amendments to the claims, the applicants request withdrawal of the objections.

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V. Rejection of claims under 35 U.S.C. § 102

Claims 1-6, 10, 11, 13, 16, 17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by to Yamagami et al. (US Patent No. 5,535,011). The applicants respectfully traverse the rejections.

10       Claims 1, 13, 19 recite to a method and apparatus where a processor sends uncompressed data to a video capture device wherein the uncompressed data is compressed and sent back to the processor. For example, claim 1 recites sending uncompressed data to a video capture device ("receiving" step, claim 1), compression of the data ("compression step", claim 1), and sending the data back to the processor ("outputting step", claim 1).

15       The Office Action asserts that Yamagami et al. discloses receiving a file from a processor by a video capture device, as recited in claim 1, and cites column 4 lines 35-38, column 7 lines 30-46, and column 13 lines 13-35.

20       A section from the cited art of Yamagami et al. states: "The host computer 112 instructs the camera of this embodiment through the external interface to convert the form of the data transferred from the host computer and, after conversion, to return the data to the external interface."

25       (Yamagami, column 13, lines 13-17). However, the cited art does not disclose the "compressing" of data by a "video capture device" as recited in claim 1. Furthermore, Yamagami et al. does not disclose the receiving and outputting of data carried out concurrently. This was also admitted by the Examiner in the 103 rejection. Furthermore, this receiving and outputting over a serial bus is not disclosed in Yamagami.

30       In summary, all the elements of claims 1-6, 10, 11, 13, 16, 17 and 19 have not been disclosed as required under 35 U.S.C. 102.

VI. Rejection of claims under 35 U.S.C. § 103

Claims 7-9, 12, 14, 15, 18 and 20-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamagami et al. (U.S. Patent No. 5,635,011) in view of Abrams,Jr. (U.S. Patent Application No. US 5 20030158649). The applicants respectfully traverse the rejections.

The Examiner admits that Yamagami et al. "fails to teach the method of claim 1 wherein said receiving and said outputting are carried out concurrently" (Office Action, 25 U.S.C. 103 rejection). The Examiner further alleges that Abrams teaches receiving and outputting of data being carried out concurrently via a serial connection for the benefit of maximizing the bus throughput (paragraphs 63, 120, 121). The applicants respectfully disagree. Abrams shows nothing more than a "digital serial Interface" transmitting data to a computer. (See for example, para 0063, lines 8-9). Abrams does not show "receiving" and "outputting" concurrently. Additionally, Abrams does not show "receiving" and "outputting" concurrently over a serial bus.

Moreover, the combination of Yamagami et al. and Abrams do not disclose "receiving" and "outputting" of data as recited in Independent claims 1, 13, 19. As recited in paragraph 16, lines 4-6 of the specification: "The present invention enables a simultaneous two-way transfer of the uncompressed and compressed data over a high speed bus, and uses the compression engine's hardware to avoid burdening the PC's CPU". Neither Yamagami et al. nor Abrams, alone or in combination provide motivation or a suggestion for achieving this two-way transfer as recited in the claims of the present invention.

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VII. Dependent Claims

The dependent claims depend from the above-discussed Independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite features not taught or suggested by the prior art. For example, claim 7, as amended, recites "said sending and said outputting are carried out concurrently". Nothing in the prior art teaches or suggests such a feature. The other dependent claims also recite additional distinguishing features. It is submitted that the dependent claims are independently patentable over the prior art.

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VIII. New Claims

New claims 23-27 recite that the features of the present invention. For example, new apparatus claim 23 recites an auxiliary compression system for encoding uncompressed data received from a computer. It is submitted that the new claims distinguish over the prior art.

**IX. Conclusion**

Claims 1-27 are believed to be in condition for allowance. Applicants respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of 5 the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully submitted,

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25 **CERTIFICATE UNDER 37 C.F.R. 1.8**  
The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 9/9 day of December, 2005.

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